

Practitioner's Docket No. 1001-119

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael J. Czaplicki, David Carlson and Kevin Hicks

Application No.: 10/621,209

Group No.: 1713

Filed: July 16, 2003

Examiner: Unknown

For: COMPOSITE METAL FOAM DAMPING/REINFORCEMENT STRUCTURE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants submit this statement in accordance with their duty of disclosure under 37 CFR 1.56 and 1.97-1.98. The submission made herewith is in no way intended as an admission that the cited items constitute material prior art or otherwise would render the claims unpatentable in any way. The submission also is in no way intended to substitute for the Examiner's own independent investigation.

Copies of foreign patent documents and non-patent literature together with a listing on form PTO/SB/08A is submitted herewith. Copies of cited U.S. patents and U.S. patent application publications have not been submitted due to the waiver of the requirement under 37 CFR 1.98 (a)(2)(i). Applicants respectfully solicit the Examiner's

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. section 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EV789806995US, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 12/16/05

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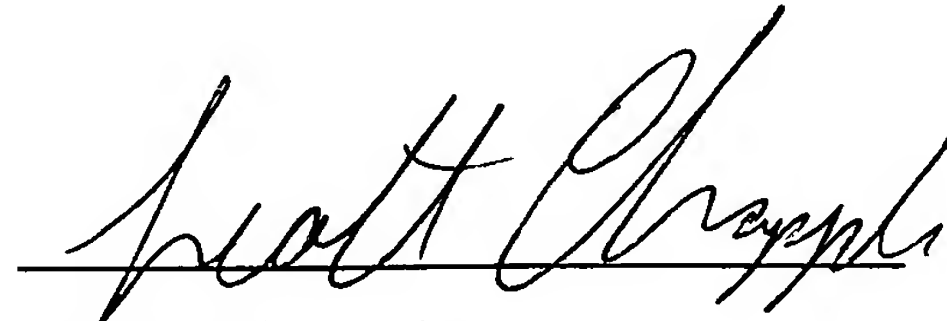

Signature

A. Heshchinsky
(type or print name of person certifying)

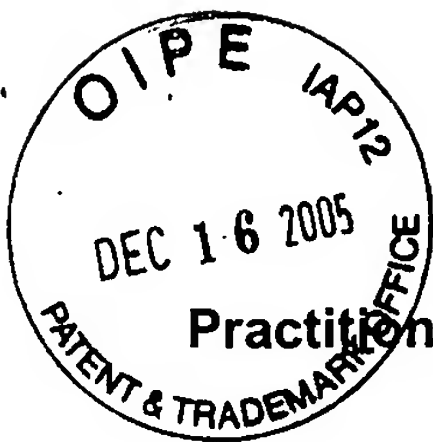
consideration of the cited references and entry thereof into the record of this application.

This Information Disclosure Statement is being submitted after the mailing of a first Office Action or Notice of Allowance. The fee of \$180.00 is enclosed in the form of a check. If any additional fee is due with the filing of this paper please charge the amount to deposit account 50-1097.

Date: 15 December 2005



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**STATEMENT FOR INFORMATION DISCLOSURE
UNDER 37 C.F.R. Section 1.97(e)**

**IDENTIFICATION OF INFORMATION DISCLOSURE STATEMENT
FOR WHICH THIS STATEMENT IS BEING MADE**

1. This statement is being made for the Information Disclosure Statement accompanying this statement.

STATEMENT

2. I, the person signing below, state that at least WO 02/055342 and its translation contained in the information disclosure statement were not cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. Section 1.8(a))

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Signature

A. Leshchinsky
(type or print name of person certifying)

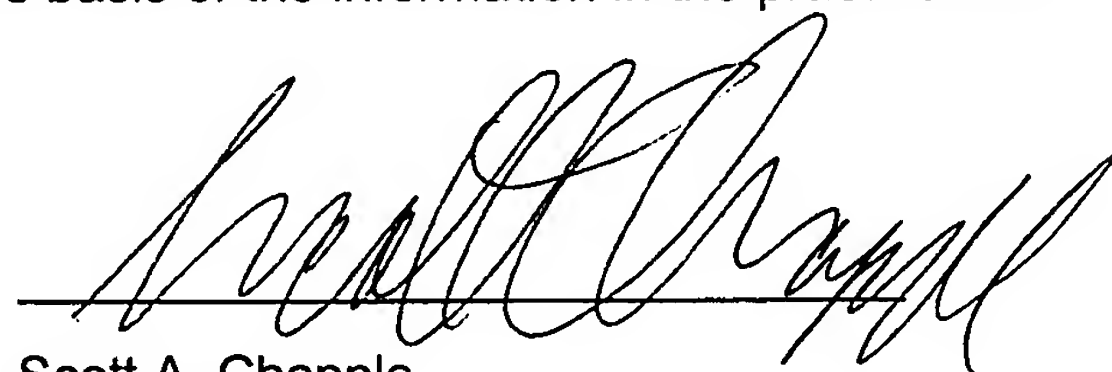
As a clarification to the above statement, Applicants submit that Applicants' knowledge as to its date of receipt of EP 1 349 750 is not presently known, but was within the last four months based upon its patent date. Applicants were unable to obtain a translation of EP 1 349 750, but were able to, within the last three months, locate WO 02/055342 and obtain a machine translation thereof. Please also note that WO 05/044630 and EP 1 134 126 are merely relisted from a previous IDS because copies those references were apparently lose it transit to or at the US Patent Office. Consideration of those references is respectfully requested.

IDENTIFICATION OF PERSON MAKING THIS STATEMENT

3. The person making this certification is:

(a) the practitioner who signs below on the basis of the information in the practitioner's file.

Date: 15 December 2005



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